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DENVER
LAS VEGAS
LOS ANGELES
LOS CABOS
ORANGE COUNTY
PHOENIX
RENO
SALT LAKE CITY
TUCSON

February 5, 2015

VIA FEDERAL EXPRESS AND U.S. MAIL

Regional FOIA Officer
USEPA Region 9
75 Hawthorne Street (OP-2)
San Francisco, California 94105

Re: **Requests for Documents Pursuant To Freedom of Information Act**

Dear Regional FOIA Officer:

I hereby respectfully make the following requests for documents and information to USEPA, Region 9 Office, pursuant to the Freedom of Information Act, 5 USC Section 552, and kindly request that the responsive documents and information be provided to me in writing within twenty (20) working days. I agree in advance to pay all reasonable fees and costs for photocopying or processing as is authorized by law in connection with this request.

Please make copies of the documents that are responsive to the 14 requests below and send them to me.

DEFINITIONS FOR PUBLIC RECORDS ACT REQUEST

A. "OCWD" refers to the Orange County Water District, and all of its present and former Board of Director members, officers, managers, employees, consultants, attorneys, and agents of any kind, specifically, but not limited to Keith Takata, Kennedy/Jenks, and Scott Sommer.

B. "USEPA" refers to the United States Environmental Protection Agency, and all of its present and former officers, managers, employees, consultants, attorneys and agents of any kind located in any office, including, without limitation, any office of the USEPA Region IX in San Francisco and any USEPA office in Washington DC.

C. "DTSC" refers to the California Department of Toxic Substances Control, and all of its present and former officers, managers, employees, consultants, attorneys, and agents of any

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USEPA Region 9
February 5, 2015
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kind in any office, including without limitation the regional office in Cypress, and any office in Sacramento.

D. "Water Boards" refers to California State Water Resources Control Board and the nine Regional Water Quality Control Boards in California, including but not limited to Region 8 the Santa Ana Regional Water Quality Control Board.

E. "North Basin" refers to those parts of Anaheim, Placentia and Fullerton, California generally bounded by State Route 57 on the east, State Route 91 on the south, Euclid Street on the west and Commonwealth Avenue on the north. The North Basin contains all the facilities in the OCWD's North Basin Groundwater Protection Project, as shown on the OCWD map that appears as Attachment 1 to these Requests. "

F. "South Basin" refers to the approximate 12 square miles in the southeastern portion of the Orange County groundwater basin that consists of the area that is east of the Santa Ana River and north of the San Joaquin Hills, the State Route 55 crosses the area between Interstate Route 5 on the north and Interstate Route 405 on the south. The South Basin contains all the facilities in the OCWD's South Basin Groundwater Protection Project, as shown on OCWD map that appears as Attachment 2 to these Requests.

G. "Documents" include any writing on paper or in electronic format as defined by California Evidence Code section 250, which states: "Writing" means handwriting, typewriting, printing, photostating, photocopying, transmitting by electronic mail or facsimile, every other means of recording upon any tangible thing, any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combinations thereof, and any record thereby created, regardless of the manner in which the record has been stored.

H. "Communications" refer to any transmission or conveyance of information orally or in writing, including, but not limited to, all printed, typed, recorded, tape-recorded, transcribed, graphic or other reproduced matter in any form, including, but not limited to, letters, notes, notebooks, memoranda, correspondence, memoranda of telephone calls or conference calls, e-mails with any attachments, fax transmissions, reports, notes or minutes of meetings, working papers, drafts, calendars, diaries and appointment books.

I. "Time Period" refers to the time period of October 1, 2013 to January 30, 2015.

PUBLIC RECORDS ACT REQUESTS

1. All documents reflecting or relating to any communications between OCWD and USEPA that relate to all or any part of the North Basin during the Time Period.

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2. All documents reflecting or relating to any communications between OCWD and USEPA that relate to all or any part of the South Basin during the Time Period.

3. All documents reflecting or relating to any communications between OCWD and USEPA that relate to the federal superfund program or California's superfund program during the Time Period.

4. All documents reflecting or relating to any communications between OCWD and DTSC that relate to all or any part of the North Basin during the Time Period.

5. All documents reflecting or relating to any communications between OCWD and DTSC that relate to all or any part of the South Basin during the Time Period.

6. All documents reflecting or relating to communications between OCWD and DTSC that relate to the federal superfund program or California's superfund program during the Time Period.

7. All documents written by Keith Takata or sent by Keith Takata to anyone at the USEPA during the Time Period.

8. All documents reflecting or relating to any communications between DTSC and USEPA that relate to all or any part of the North Basin during the Time Period.

9. All documents reflecting or relating to any communications between DTSC and USEPA that relate to all or any part of the South Basin during the Time Period.

10. All documents reflecting or relating to any communications between USEPA and the Water Boards that relate to all or any part of the North Basin during the Time Period.

11. All documents reflecting or relating to any communications between USEPA and the Water Boards that relate to all or any part of the South Basin during the Time Period.

12. All documents identifying or otherwise relating to the "over 20 source sites" noted on page OCWD0000062 of Attachment 3 generated during the Time Period.

13. All documents reflecting or related to any investigation or cleanup of, or planning for any possible investigation or cleanup of, any soil or groundwater contamination at or emanating from the Orange County Metal Processing site located at 1711 East Kimberly Avenue, Fullerton, California.

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14. All documents reflecting or related to any investigation or cleanup of, or planning for any possible investigation or cleanup of, any soil or groundwater contamination at or emanating from the PCA Metal Finishing site located at 1726 East Rosslynn Avenue, Fullerton, California.

We understand that the following USEPA directors, managers, and employees have been involved in communications relating to some of these requests. Please see Attachment 4. Consequently, we request that searches are performed in these specific individuals' files for documents responsive to these requests: Rachelle Thompson, John Lyons, Enrique Manzanilla, Caleb Shaffer, Bethany Dreyfus, Dustin Minor.

Please let me know if you have any questions regarding the requests, copies or any costs associated with this request.

Very truly yours,

Snell & Wilmer

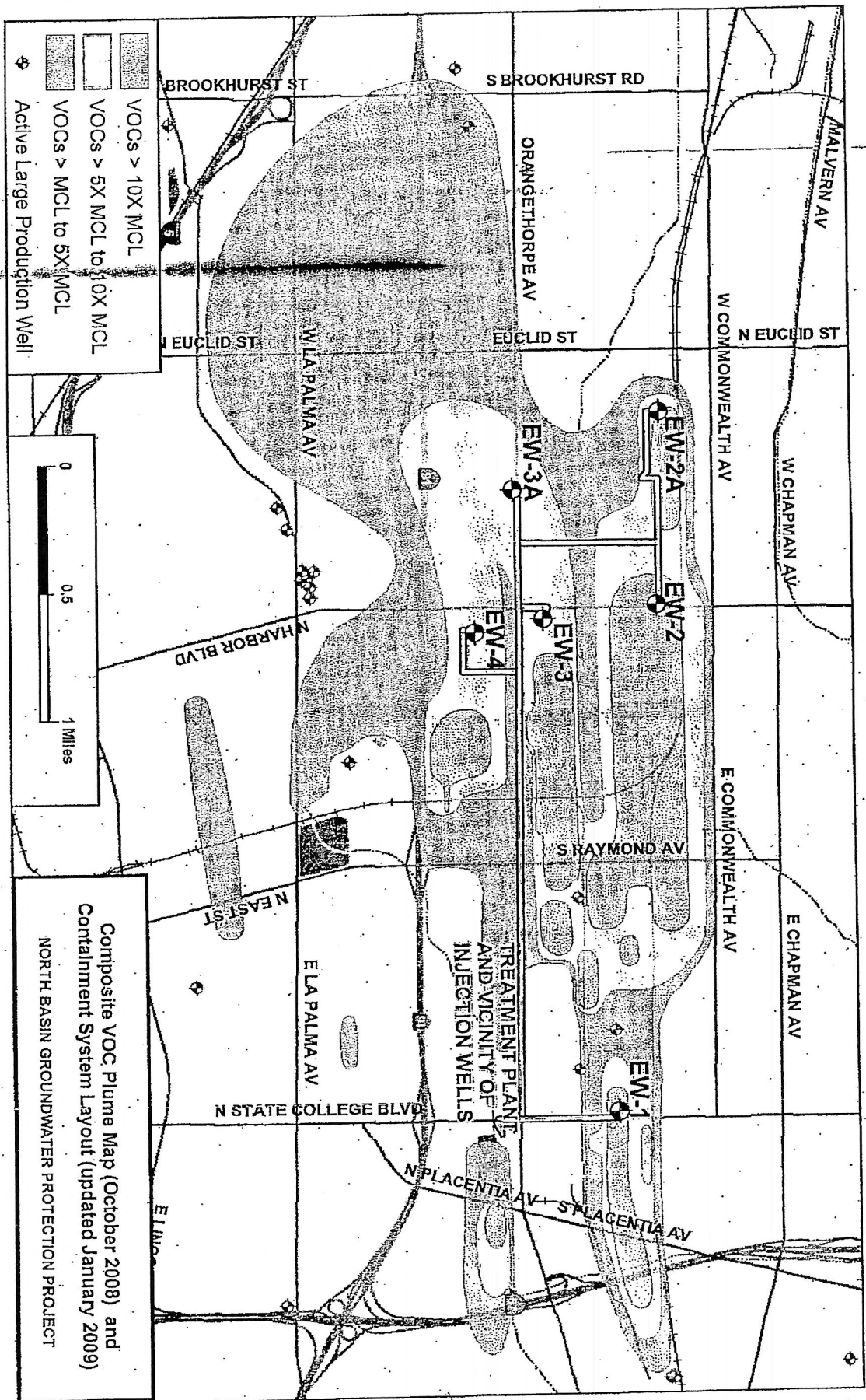


Richard J. McNeil

RJM:sem

cc: Dustin Minor
Bethany Dreyfus

ATTACHMENT 1



ATTACHMENT 2

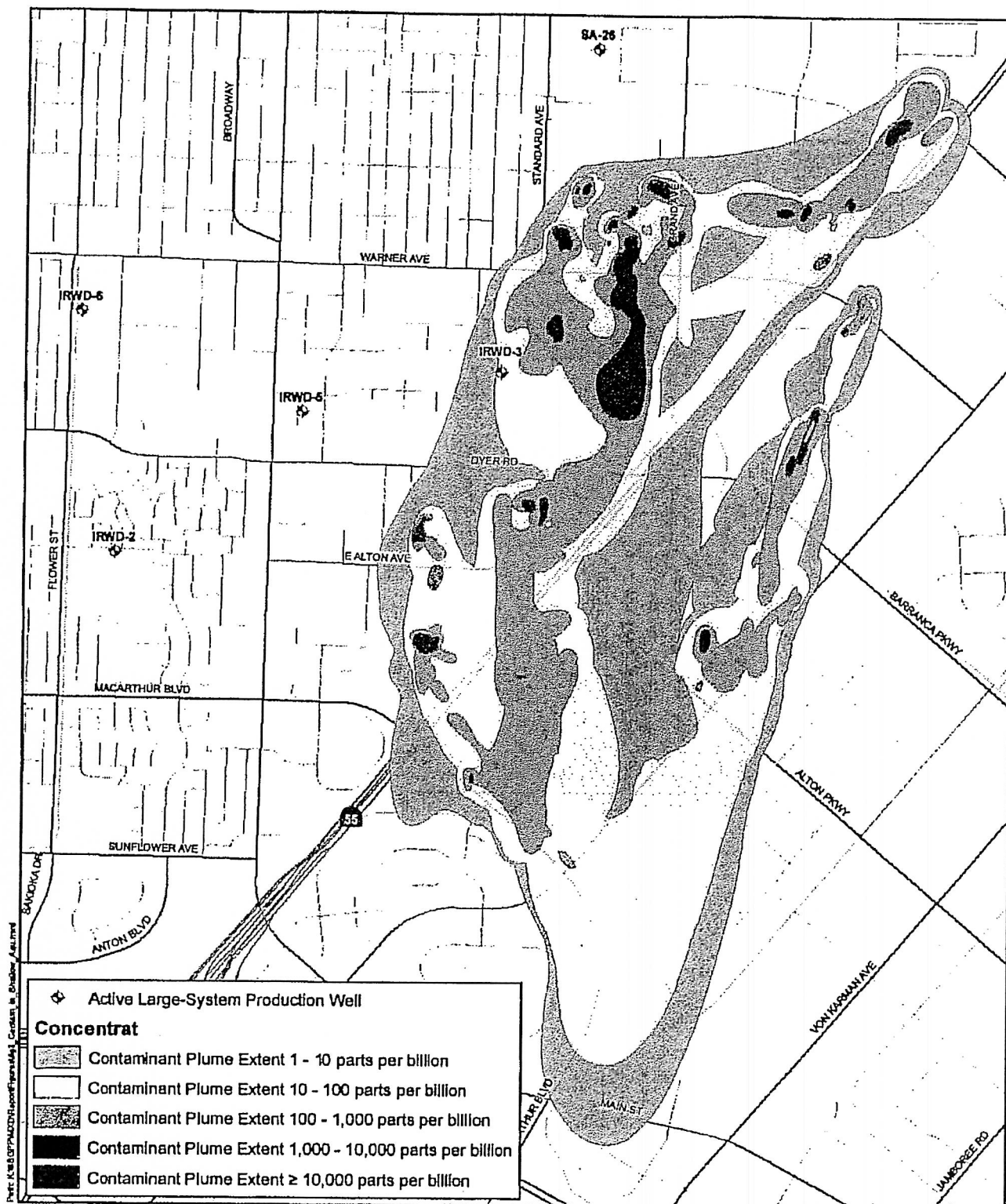
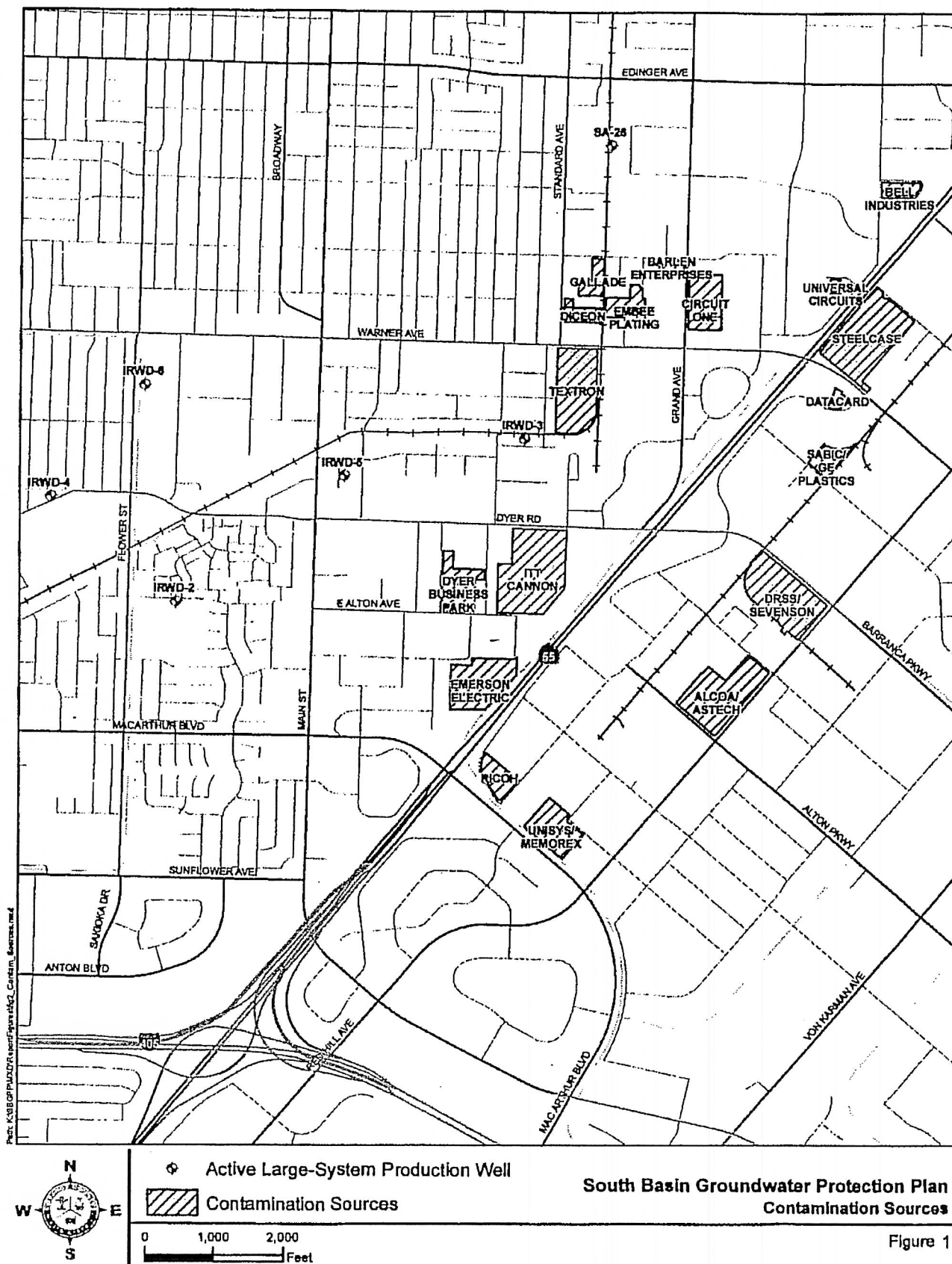


Figure 2



ATTACHMENT 3



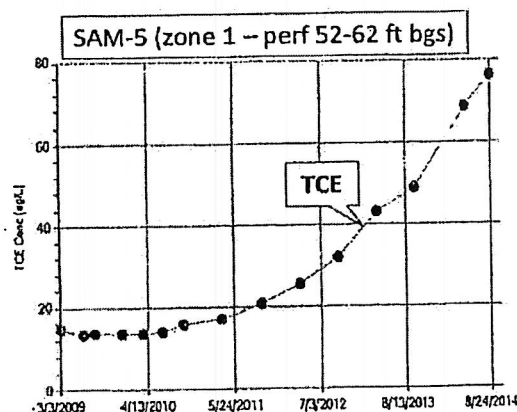
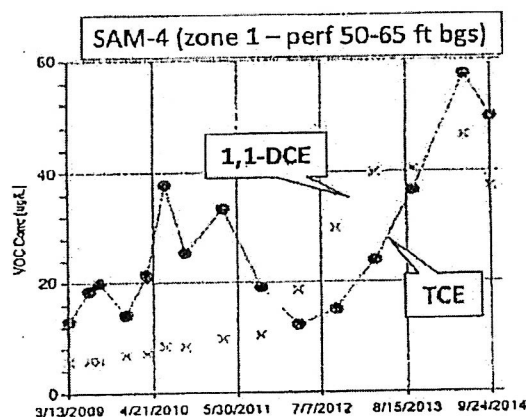
South Basin Contamination (cont'd):

- Over 20 source sites
- Some on-site remediation
- Few have off-site remediation

Current Activity:

- Selecting consultant to prepare NCP documents for potential interim remedy

VOCs show increasing trends.



ATTACHMENT 4

AGENDA
OCWD AND DTSC

Tuesday, October 21, 11:30 am to 12:30 pm
CalEPA Headquarters, 1001 I Street, Sacramento, CA

The purpose of the meeting is to discuss which regulatory agency should be the lead agency for North Basin and South Basin. The lead regulatory agency may oversee OCWD's RI/FS, propose and select the interim remedy, and/or compel the PRPs to build or pay for the interim remedy.

Agenda

I. Opening (DTSC and OCWD)

II. Overview of Orange County Groundwater Contamination (OCWD)

- Orange County Groundwater Basin
- Impact on Drinking Water
- North Basin and South Basin
- OCWD Actions
- Example: Northrop

III. OCWD's Viewpoint on Lead Agency (OCWD)

IV. DTSC's Viewpoint on Lead Agency (DTSC)

V. Discussion

VI. Next Steps

Attendees

OCWD

Mike Markus, General Manager, OCWD (by phone)
Roy Herndon, Chief Hydrogeologist, OCWD
Scott Sommer, Attorney for OCWD
Keith Takata, Consultant for OCWD

DTSC

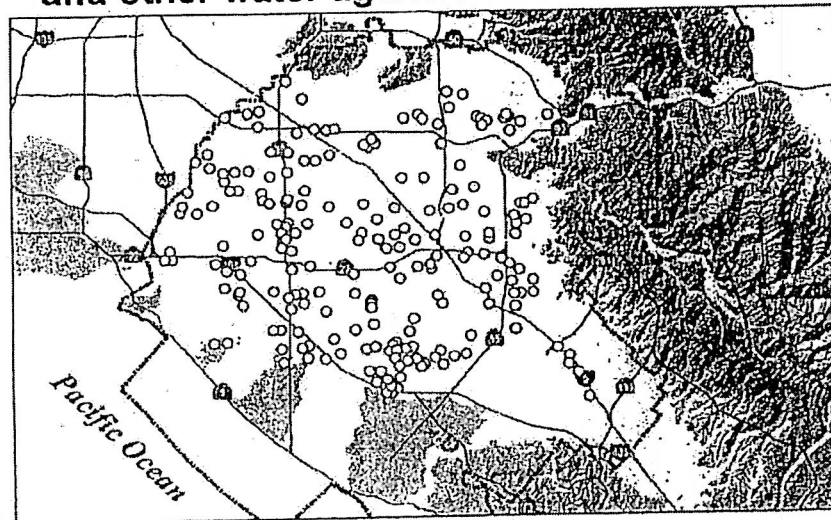
Stewart Black, Deputy Director, Brownfields & Environmental Restoration, DTSC
Barbara Cook, Division Chief, DTSC
John Scandura, Branch Chief, DTSC



Regional VOC Plumes in Orange County

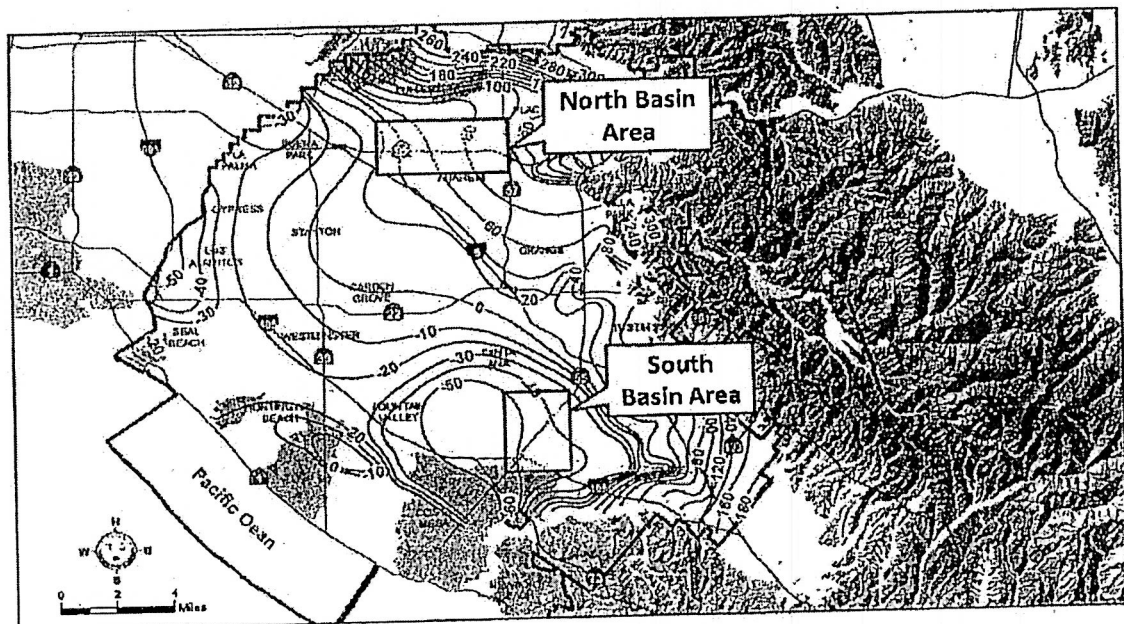
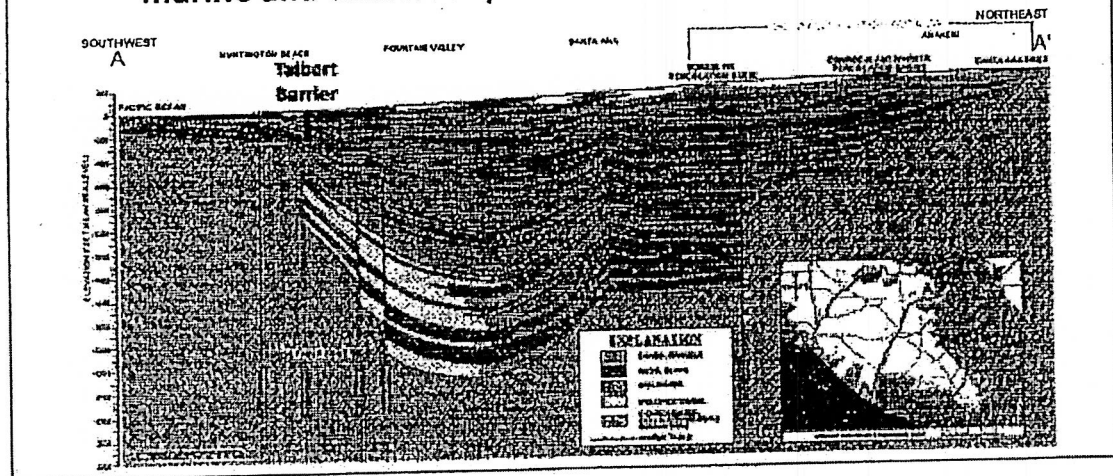
Meeting with CalEPA
October 31, 2014

Groundwater is pumped from 200 wells owned by cities
and other water agencies.



70% of total
water demand
for 2.4 million
people

The basin aquifers are comprised of 2,000+ feet of unconsolidated, folded, and faulted sediments from marine and alluvial deposition.




South Basin



South Basin Contamination:

- Commingled VOC and perchlorate plumes
- Plumes > 2 mi long x 1 mi wide
- Highest concentrations <100 ft deep
- IRWD-3 shut down
- IRWD-5 has TCE, PCE detections

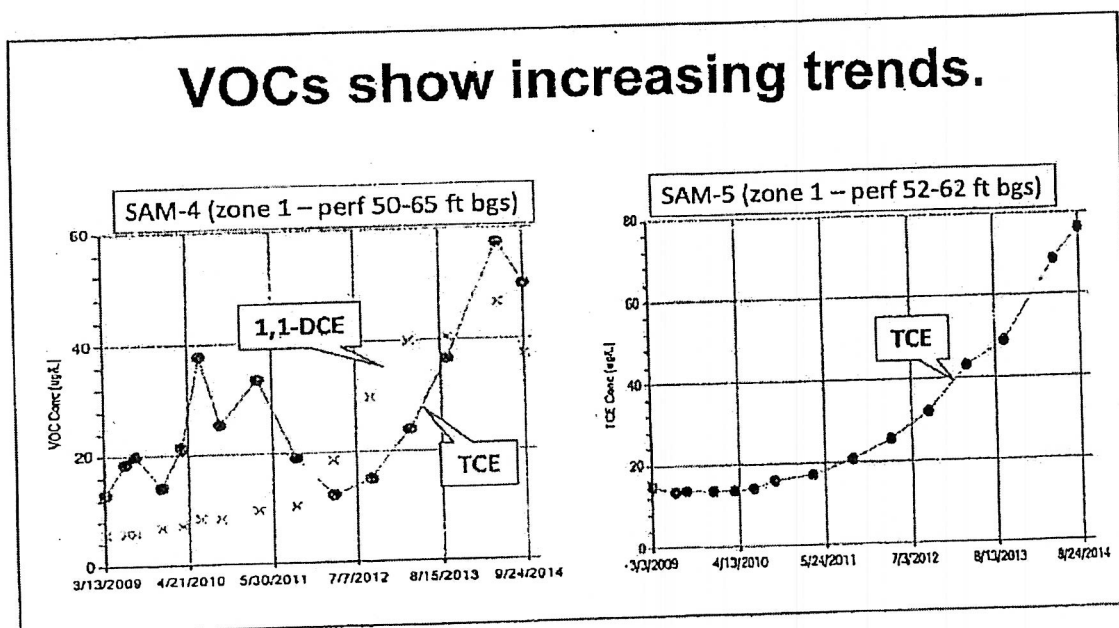


South Basin Contamination (cont'd):

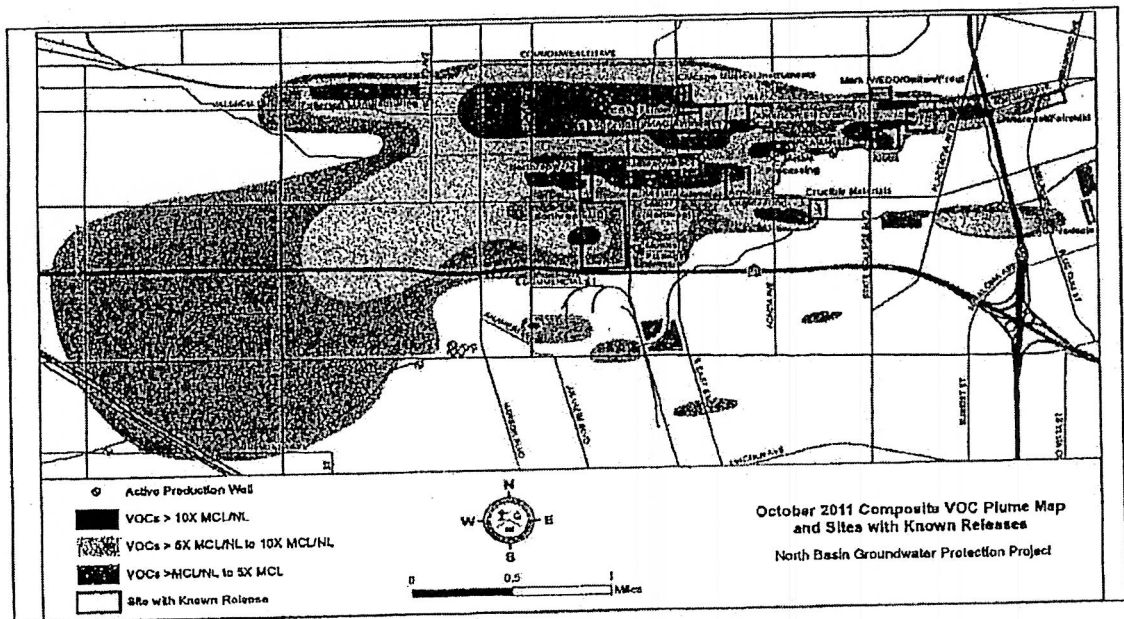
- Over 20 source sites
- Some on-site remediation
- Few have off-site remediation

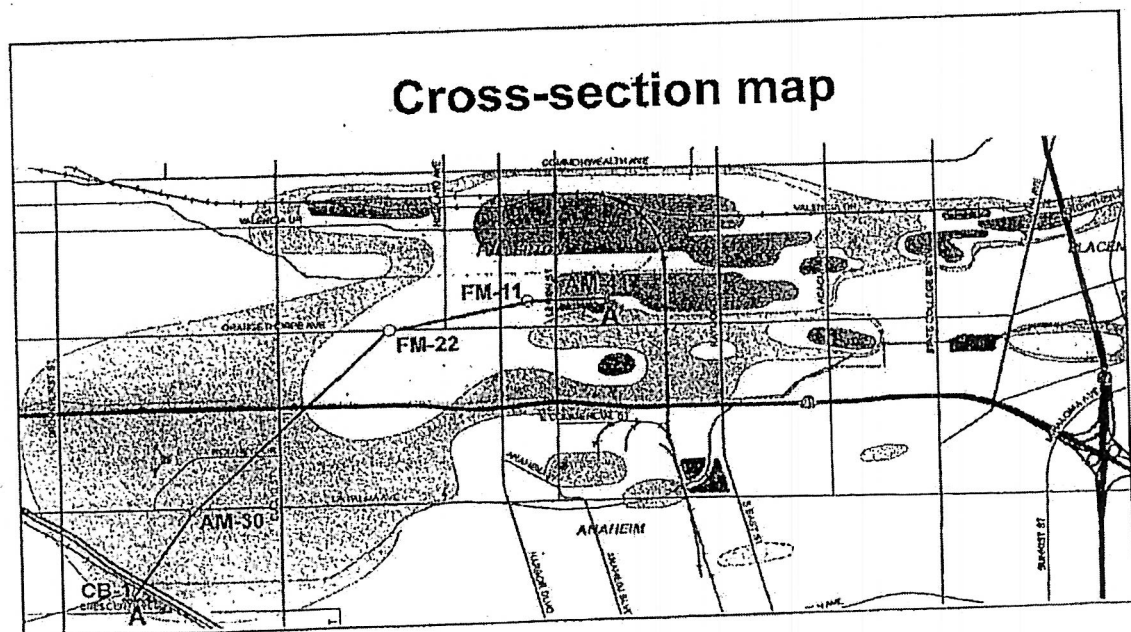
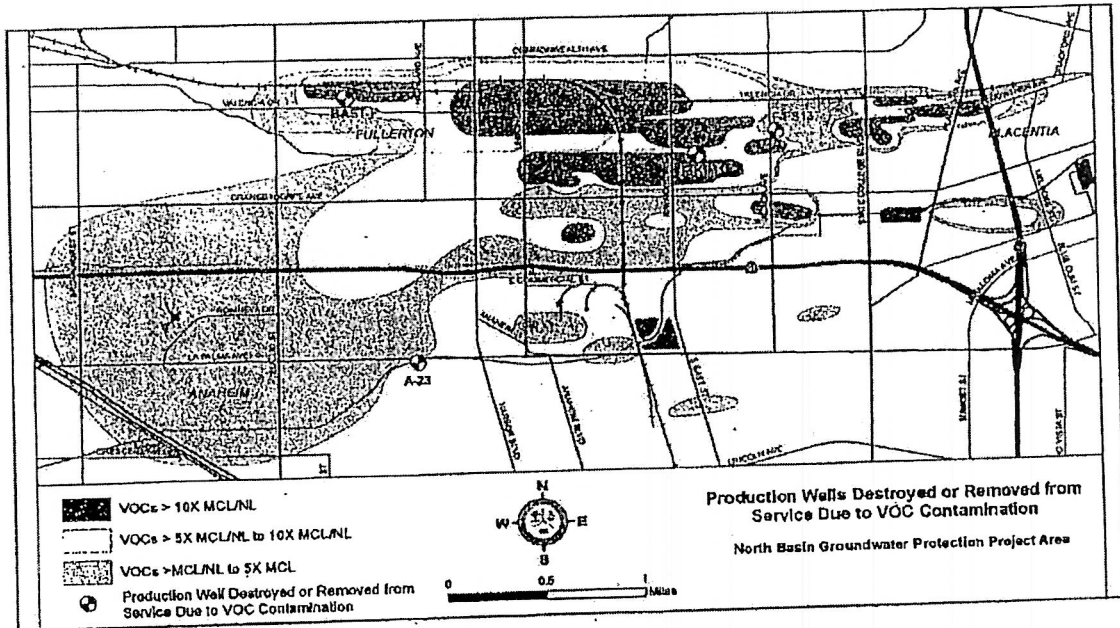
Current Activity:

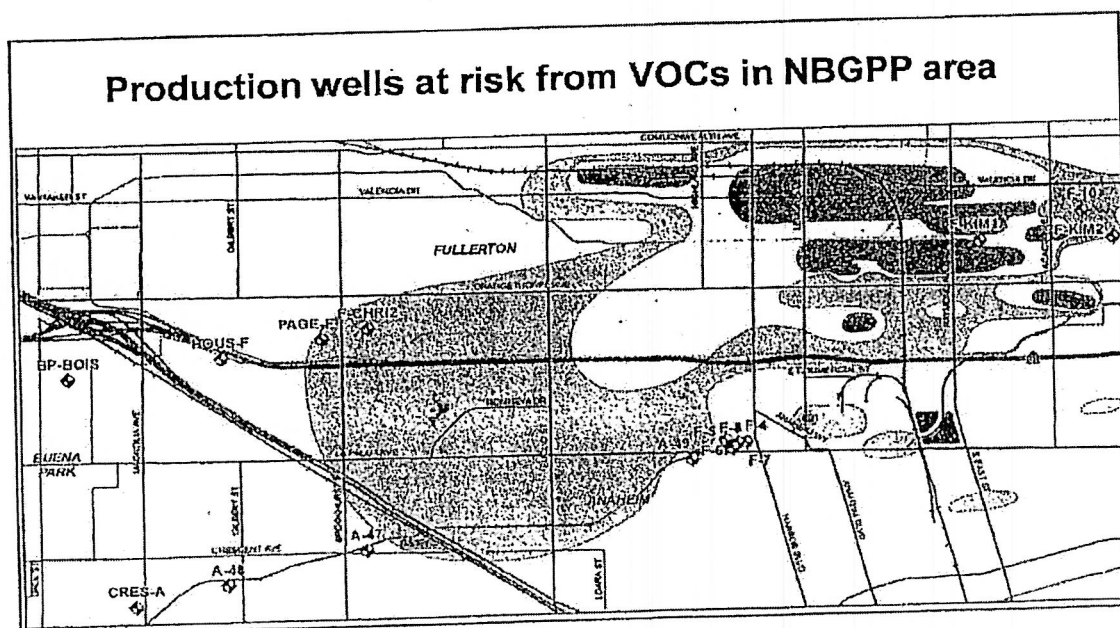
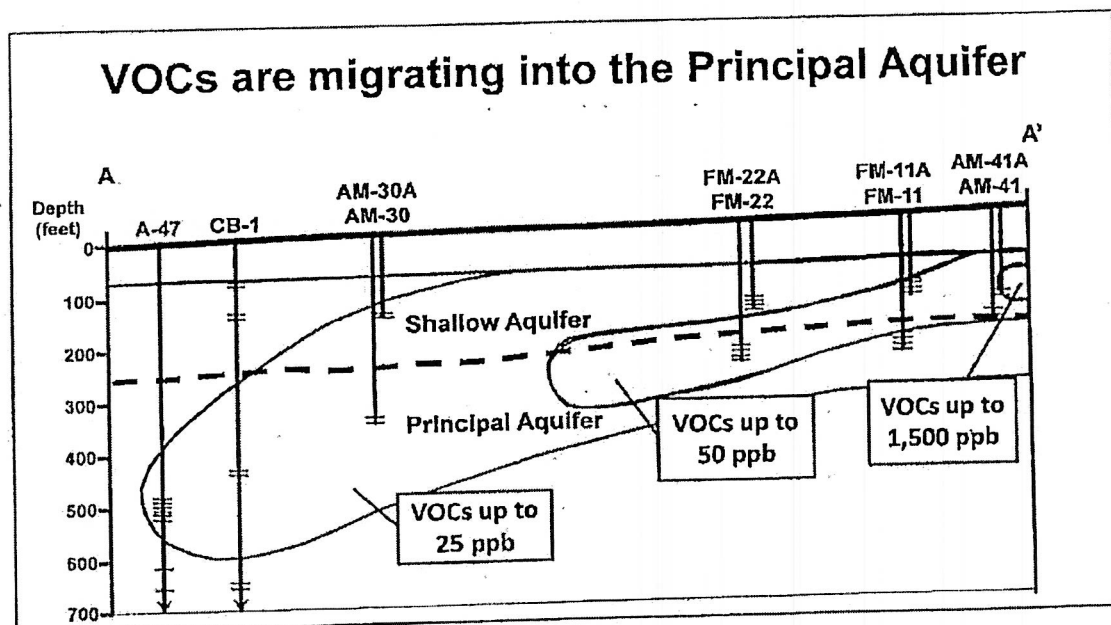
- Selecting consultant to prepare NCP documents for potential interim remedy



North Basin







OCWD's Cleanup Strategy

Source Control: Remove highest concentrations at facilities that caused contamination

Interim Action: Contain elevated concentrations in nearby Shallow Aquifer

Long-term Remedy: Address lower concentrations in downgradient Principal Aquifer

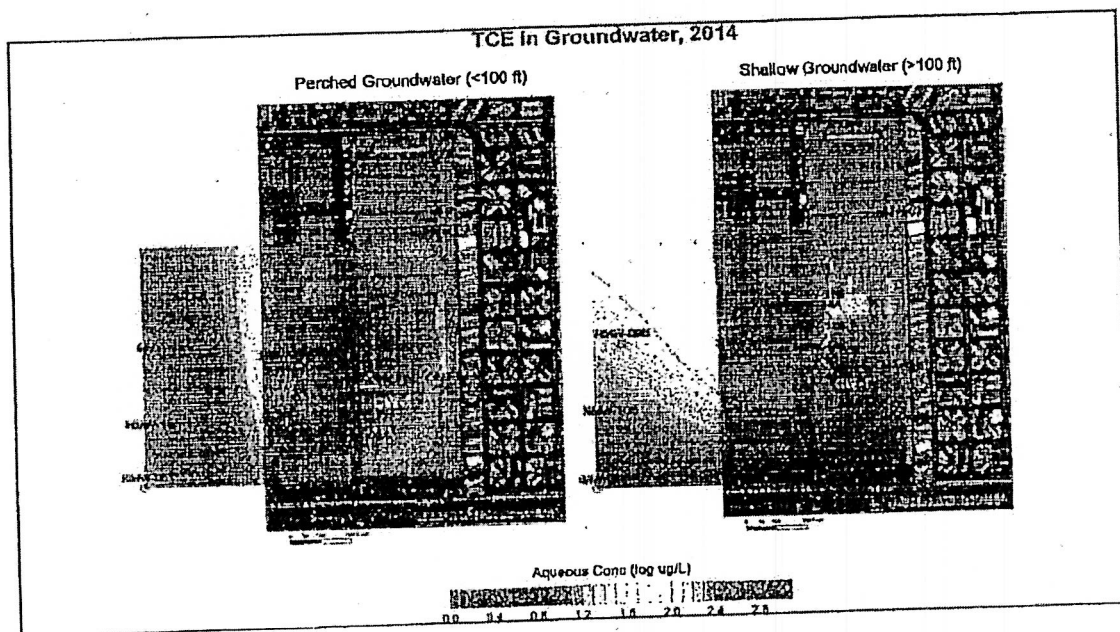
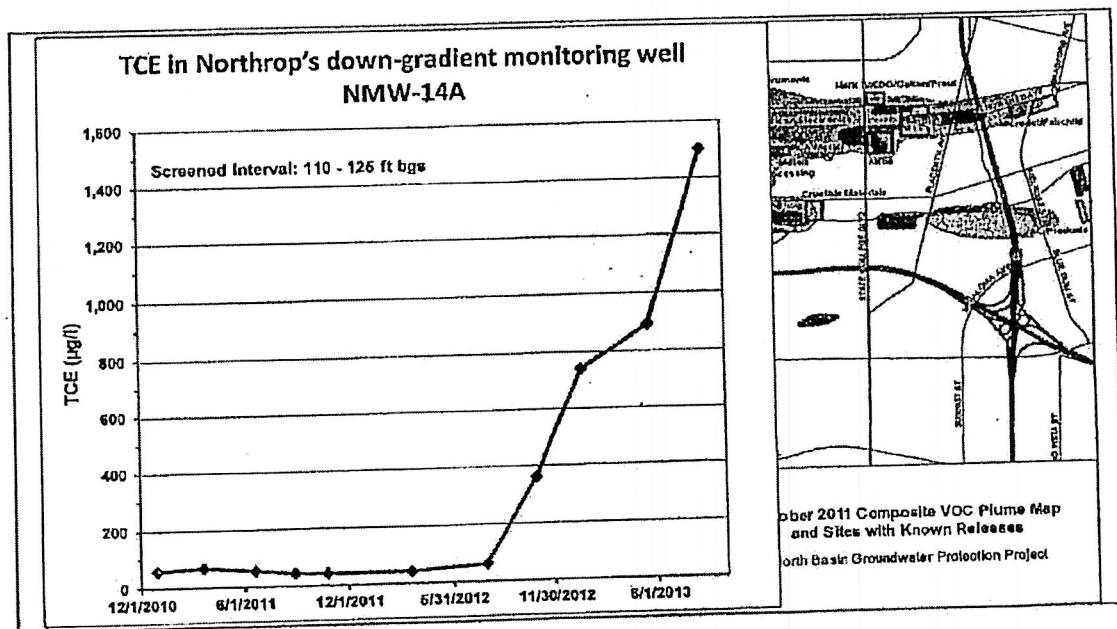
Current North Basin Activities

- **Preparing a RI/FS for an interim remedy in accordance with the NCP**
 - Proposed Plan Scheduled for late 2015
- **Reviewing site data for potential recommended actions**
- **Developing a fate & transport model to support Risk Assessment and FS**
- **Recently updated VOC plume map**

Current North Basin Schedule

Remedial Investigation Summary Report	May 2015
Groundwater Modeling	May 2015
Baseline Human Health Risk Assessment	May 2015
Interim Remedy Feasibility Study	July 2015
CEQA Update	To Be Determined
Proposed Remedial Action Plan	June 2015 – Dec 2015

Northrop Y-12 Site



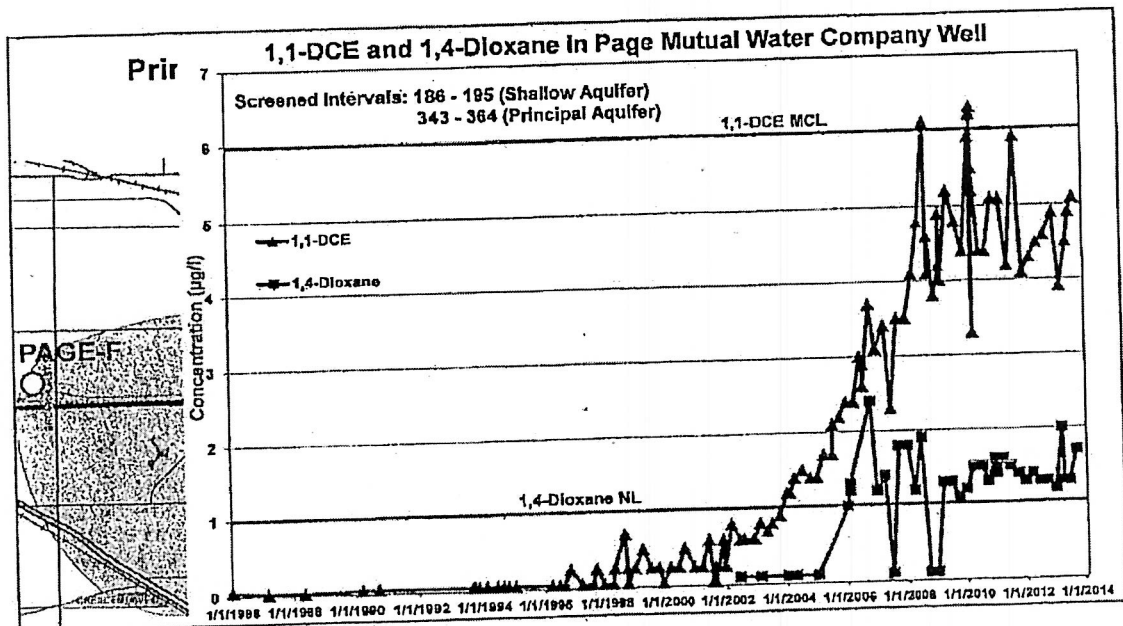
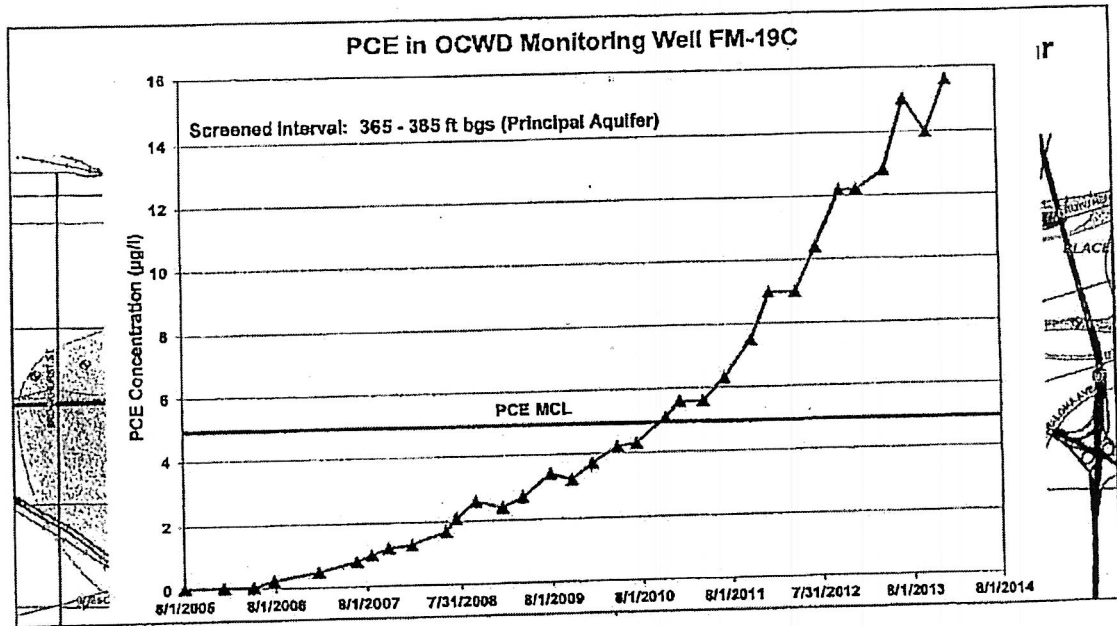


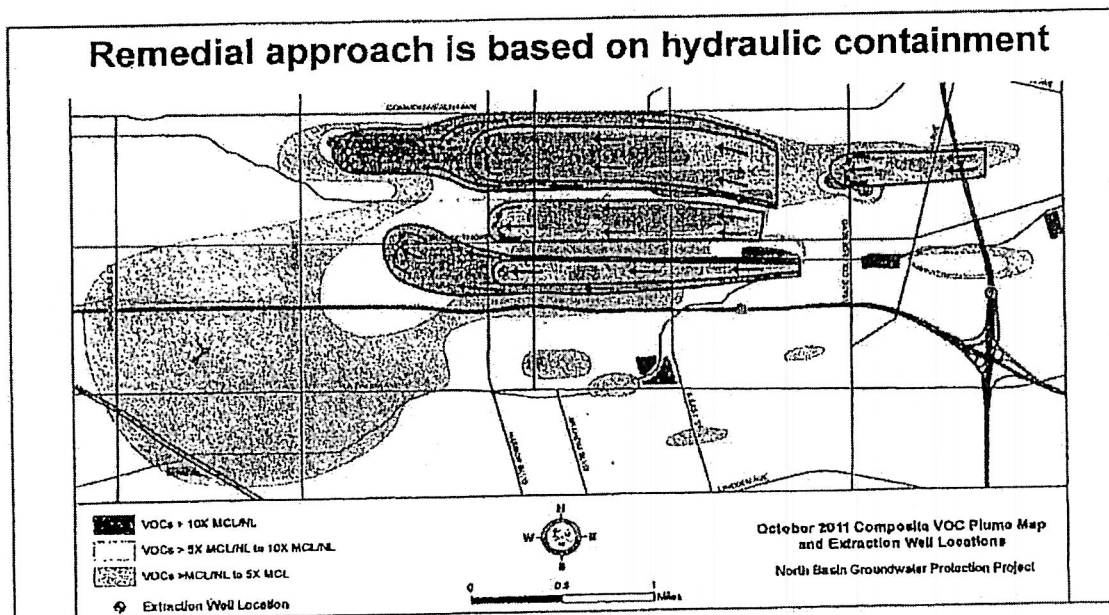
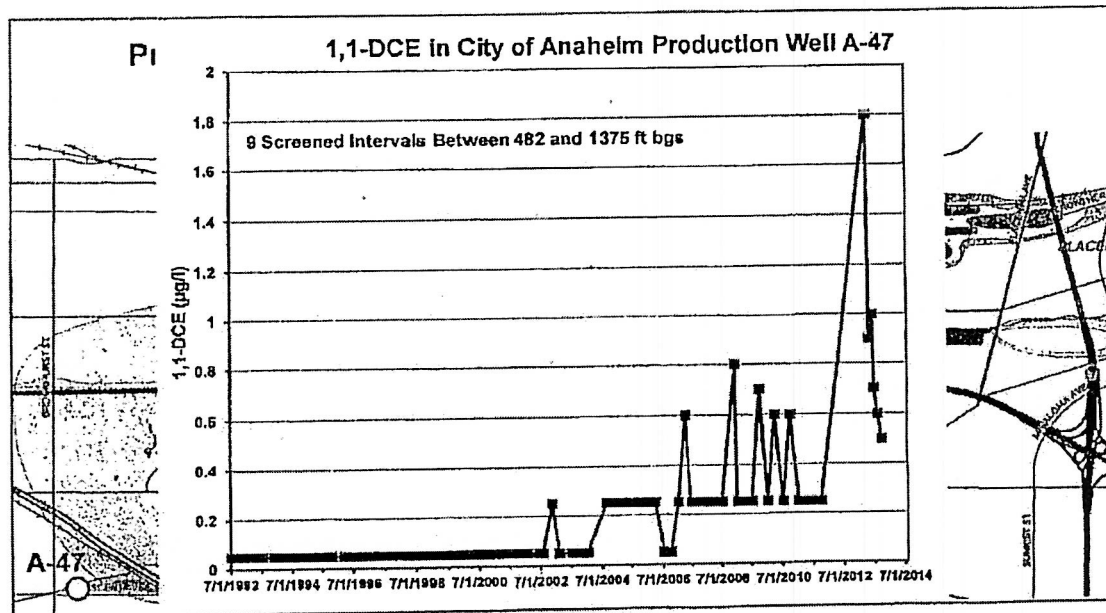
End of Presentation

North Basin Source Sites

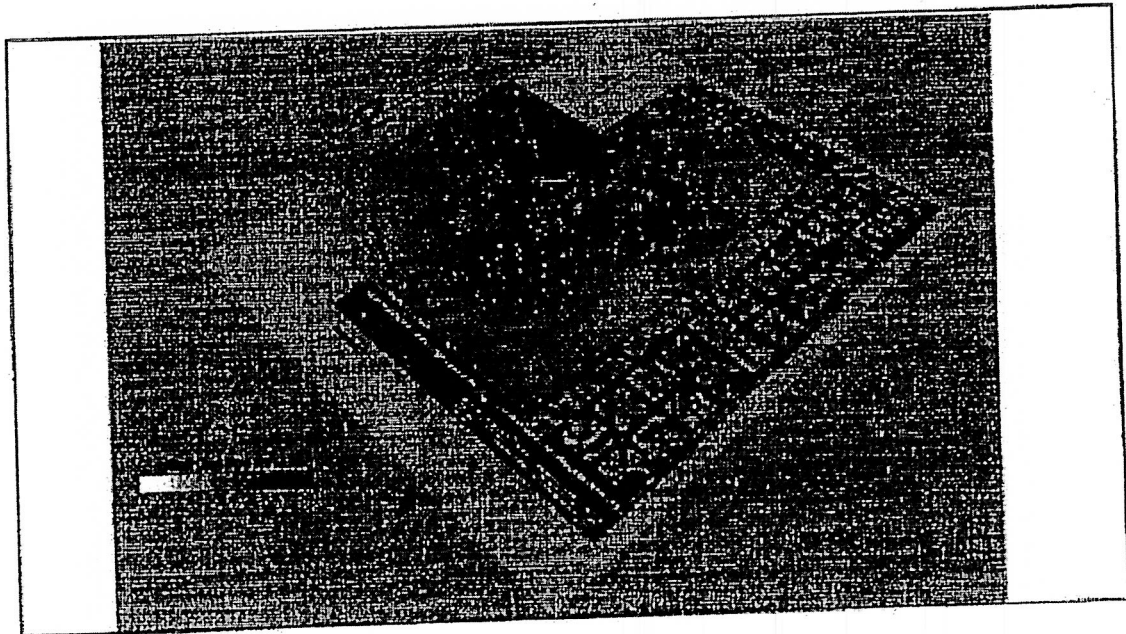
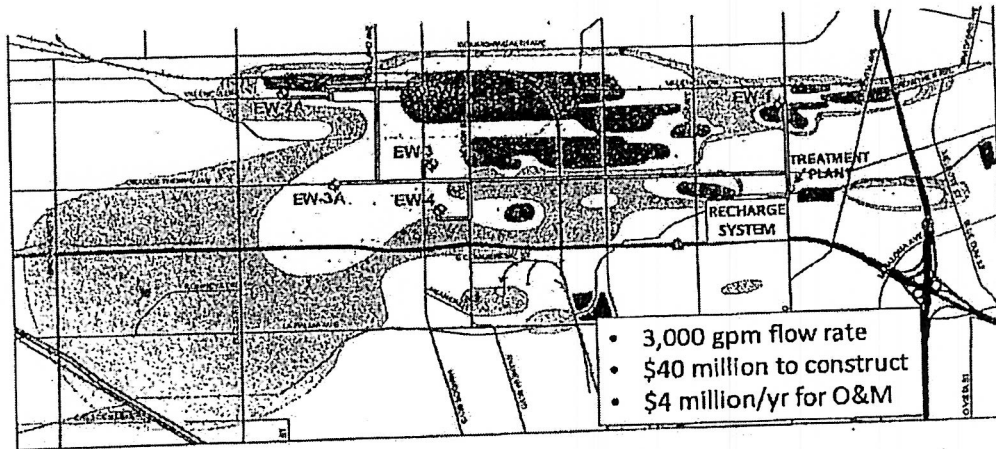
AC Products	Kester Solder (Northrop)
Aerojet	Mark IV/EDO
Alcoa	Microdot / Fairchild
American Electronics	Monitor Plating
Arnold Engineering	Moore Wallace
CBS/Fender	Northrop EMD
CBS/Fender/MAG Aerospace	Northrop Y-12
Chicago Musical Instruments	Orange County Metal Processing
Crucible Materials / Trent Tube	PCA Metal Finishing
Fullerton Manufacturing	

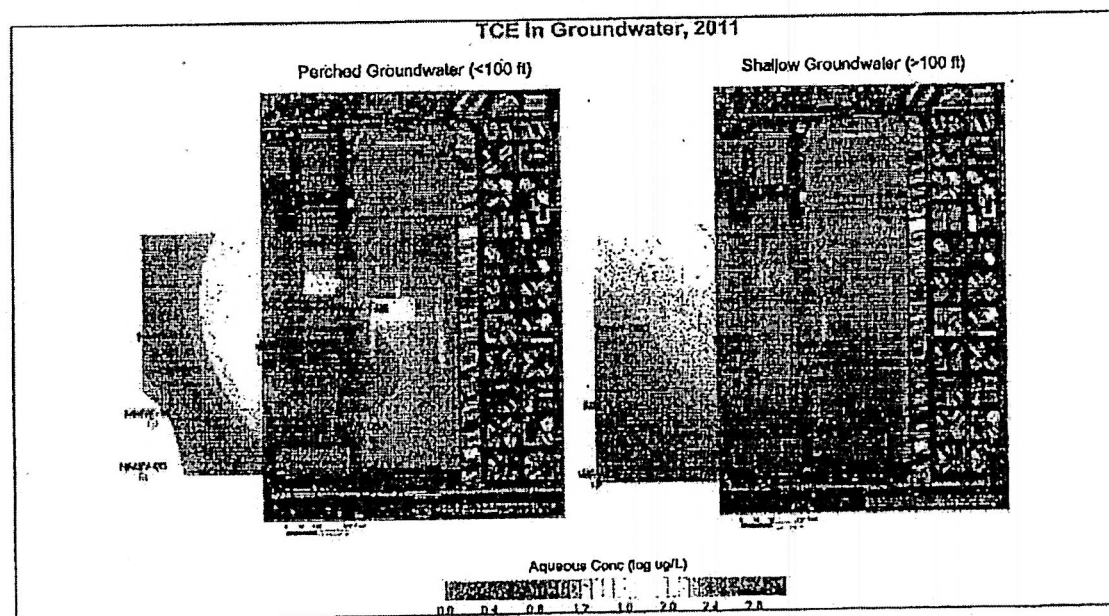
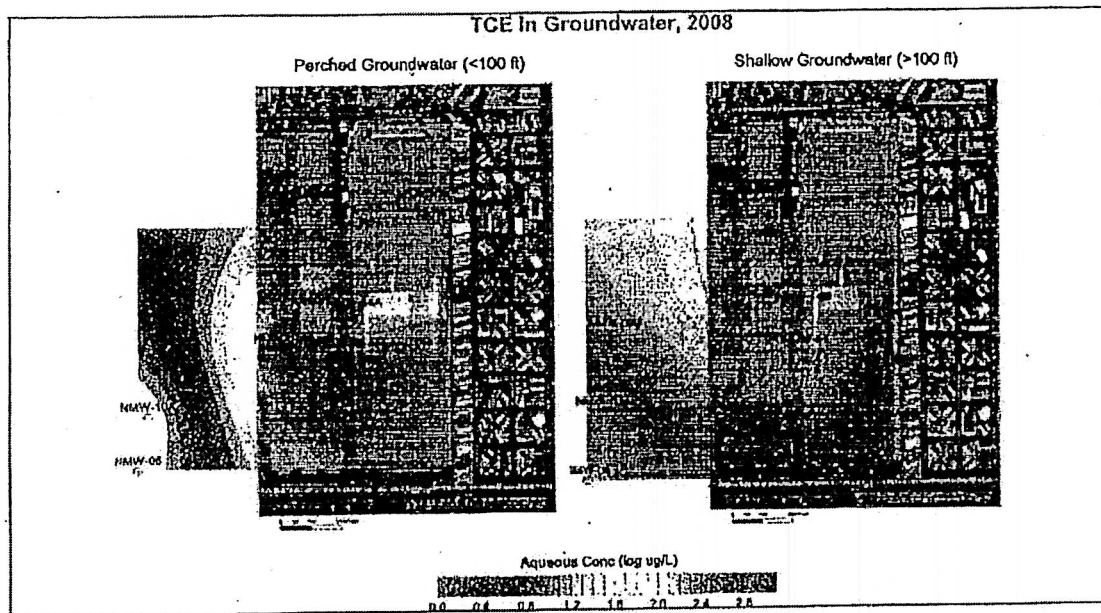
12/3/2014





North Basin Groundwater Protection Project will be evaluated under NCP process.





Bolin, David

From: Keith Takata <keith@keithtakata.com>
Sent: Thursday, November 06, 2014 6:39 PM
To: Kurt Berchtold; Ann Sturdivant; John Scandura; Emad Yemut; Barbara Cook; John Lyons; Caleb Shaffer; Rachelle Thompson; Dusty Minor; Bethany Dreyfus; Steve Koyasako; Julie Macedo
Cc: Stewart Black; Enrique Manzanilla
Subject: Fwd: Sequence of Meetings Leading to Task Force Meeting on November 13th
Attachments: Agenda OC NB Task Force 11-13-14.docx; OC Groundwater Roles V3.docx

Attached is a draft agenda for the Orange County North Basin Task Force which will meet on Thursday, November 13th, from 11:00 am to 3:00 pm. The Task Force meeting will take place at the offices of OCWD at 18700 Ward Street, Fountain Valley, CA 92708. Please let me know who will attend the meeting. If you have any comments or questions on the agenda, please let me know by Tuesday, November 11th.

One of the major topics at the Task Force meeting will be roles and responsibilities of the OCWD and the state and federal regulatory agencies in North and South Basins. In order to have a productive discussion at the Task Force meeting, we agreed to the following meetings to be held before the Task Force meeting:

- A legal meeting between attorneys of OCWD, DTSC, SWRCB, and EPA, which is scheduled for Wednesday, November 12th.
- A regulatory agency only meeting between DTSC, RWQCB, and EPA, which I understand is being held through a series of conference calls.

In order to facilitate the discussion at all of these meetings, I have taken the liberty of putting together the attached **matrix of North and South Basin roles and responsibilities**. The matrix is just a tool to make sure we capture actions that are already happening, actions have been agreed to, and issues that need to be resolved. Nothing that I have already written into the matrix is a final commitment until OCWD and the regulatory agencies agree it is so. With that in mind, please feel free to use the matrix to guide your discussions.

I look forward to seeing everyone on November 13th!

Keith

Keith Takata
Takata Environmental LLC
keith@keithtakata.com
650-862-1162
www.keithtakata.com

Begin forwarded message:

From: Keith Takata <keith@keithtakata.com>
Date: November 1, 2014 at 8:21:25 AM PDT
Subject: Sequence of Meetings Leading to Task Force Meeting on November 13th
Cc: Stewart Black <Stewart.Black@dtsc.ca.gov>, Enrique Manzanilla <Manzanilla.Enrique@epa.gov>, Dusty Minor <Minor.Dustin@epa.gov>
To: Kurt Berchtold <kberchtold@waterboards.ca.gov>, Ann Sturdivant <Ann.Sturdivant@waterboards.ca.gov>, John Scandura <John.scandura@dtsc.ca.gov>, Emad Yemut <Emad.Yemut@dtsc.ca.gov>, Barbara Cook <Barbara.Cook@dtsc.ca.gov>, John Lyons <lyons.john@epa.gov>, Caleb Shaffer <Shaffer.caleb@epa.gov>, Rachelle Thompson <thompson.rachelle@epa.gov>, Bethany Dreyfus <dreyfus.bethany@epa.gov>, Steve Koyasako <skoyasako@dtsc.ca.gov>, Julie Macedo <Julie.Macedo@waterboards.ca.gov>

As we agreed at yesterday's meeting, the Orange County North Basin Task Force will meet on **Thursday, November 13th**. I propose that we start the meeting at **11:00 am**, which will give the Bay Area participants time to travel in the morning. OCWD has graciously offered to provide a working lunch. We'll try to finish the meeting by **2:00 pm**. The Task Force will meet at the offices of the OCWD at **18700 Ward Street, Fountain Valley CA 92708**. Please let me know what you'd like on the agenda by Thursday, November 6th.

One of the major topics at the Task Force meeting will be roles and responsibilities of the OCWD and the state and federal regulatory agencies in North and South Basins. In order to have a productive discussion at the Task Force meeting, we agreed to the following meetings to be held before the Task Force meeting:

- A legal meeting between attorneys of OCWD, DTSC, SWRCB, and EPA. I'd like to ask Steve Koyasako or Julie Macedo to organize this meeting.
- A regulatory agency only meeting between DTSC, RWQCB, and EPA. I'd like to ask Barbara Cook or John Scandura to organize this meeting.

If you have any questions or concerns, please let me know. Thank you all!

Keith

Keith Takata
Takata Environmental LLC
keith@keithtakata.com

650-862-1162
www.keithtakata.com

AGENDA

**Orange County North Basin Task Force
OCWD, RWQCB, DTSC, and EPA**

**Thursday, November 13, 2014, 11:00 am to 3:00 pm
(Working Lunch Provided by OCWD)**

- I. Introductions**
- II. Updates on North Basin Actions and Plans**
 - A. OCWD
 - B. RWQCB
 - C. DTSC
 - D. EPA
- III. Report from Attorneys Meeting**
- IV. Report from Regulatory Agencies Meeting**
- V. Sites Screens and PA/SIs (DTSC and EPA)**
 - Update on Site Screens (DTSC)
 - Update on PA/SIs (EPA)
- VI. Source Sites**
 - A. Update on Sites/Sources Overseen by RWQCB and DTSC
 - B. Northrop Y-12
- IV Interim Remedy**
 - A. Update on OCWD RI/FS—Schedule of Deliverables (OCWD)
 - B. Community Involvement
 - C. Regulatory Review of Interim Action

- DTSC, RWQCB, and/EPA?
- Lead Agency?
- Technical Review and/or Approval?

V. Operational Issues

- A. Schedule South Basin Meeting
- B. Next Task Force Meeting

V. Next Steps

OCWD Participants

- Mike Wehner, Assistant General Manager, OCWD
- Roy Herndon, Chief Hydrogeologist, OCWD
- Dave Mark, Project Manager/Hydrogeologist, OCWD
- Meredith Durant, Kennedy/Jenks Consultants
- Scott Sommer, Attorney for OCWD
- Paul Rigali, Arent Fox, Attorney for OCWD
- Keith Takata, Consultant

RWQCB and SWRCB Participants

- Kurt Berchtold, Executive Officer, Santa Ana RWQCB
- Ann Sturdivant, Site Cleanup, Santa Ana, RWQCB
- Julie Macedo, Attorney, Office of Enforcement, SWRCB

DTSC Participants

- Barbara Cook, Division Chief, Brownfields & Environmental Restoration
- John Scandura, Branch Chief, Brownfields & Environmental Restoration Program
- Rafat Abbasi, Project Manager, Brownfields & Environmental Restoration Program
- Emad Yemut, Supervisor, Brownfields & Environmental Restoration Program
- Steve Koyasako, Assistant Chief Counsel, DTSC

EPA Participants

- John Lyons, Acting Assistant Director, Site Cleanup Branch
- Caleb Shaffer, Section Chief, California Site Cleanup Section
- Rachelle Thompson, Remedial Project Manager
- Dusty Minor, Manager, Hazardous Waste Management Branch, Office of Regional Counsel
- Bethany Dreyfus, Attorney, Office of Regional Counsel

ORANGE COUNTY GROUNDWATER CONTAMINATION

ROLES AND RESPONSIBILITIES

NORTH BASIN AND SOUTH BASIN

Overall Cleanup Strategy

Source Control: At source sites, remove highest concentrations in soil and groundwater and address vapor intrusion at facilities that caused the contamination.

Interim Remedy: For off-site groundwater, contain elevated concentrations in nearby Shallow Aquifer.

Long-term Remedy: For off-site groundwater, address lower concentrations in downgradient Principal Aquifer.

	North Basin	South Basin
Site Screens and PA/SIs	DTSC conducting Site Screens at ___ sites. EPA conducting PA/SIs at ___ sites.	EPA conducting PA/SI at Holchem.
Source Sites	DTSC and RWQCB actions against PRPs. See attached list. DTSC Orphan Site at Chicago Musical Instruments, O.C. Metal Processing, and PCA Metals. EPA enforcement against recalcitrant PRPs.	DTSC and RWQCB actions against PRPs. See attached list.

	North Basin	South Basin
Confidential and Privileged Attorney Work Product	Draft for Discussion Purposes Only 1	

OCWD0000007

RI/FS for Interim Remedy	<p>OCWD funding RI/FS for Interim Remedy.</p> <p>Oversight by DTSC, RWQCB, and EPA.</p> <p>Lead agency for purposes of NCP is ____.</p>	<p>OCWD funding RI/FS for Interim Remedy.</p> <p>Oversight by DTSC and RWQCB.</p> <p>Lead agency for purposes of NCP is DTSC.</p>
RI/FS for Longterm Remedy	TBD	TBD
Remedial Actions for Interim Remedy and Longterm Remedy	<p>TBD</p> <p>PRPs to pay for or conduct Remedial Action.</p> <p>If government funding is necessary, EPA to pay 90% of Remedial Action and State to pay 10% of Remedial Action.</p> <p>EPA to credit OCWD costs against State cost share.</p> <p>OCWD to consider paying for some of Remedial Action for projects that benefit OCWD.</p>	<p>TBD</p> <p>PRPs to pay for or conduct Remedial Action.</p> <p>If government funding is necessary, State to pay for Remedial Action.</p> <p>OCWD to consider paying for some of Remedial Action for projects that benefit OCWD.</p>

	North Basin	South Basin
O&M for Interim Remedy and Longterm Remedy	<p>TBD</p> <p>PRPs to pay for or</p>	<p>TBD</p> <p>PRPs to pay for or</p>

Confidential and Privileged
Attorney Work Product

Draft for Discussion Purposes Only 2

OCWD0000008

	<p>conduct O&M.</p> <p>If government funding is necessary, State to pay for O&M.</p> <p>EPA to credit OCWD costs against State obligation to pay O&M.</p> <p>OCWD to consider paying for some of O&M for projects that benefit OCWD.</p>	<p>conduct O&M.</p> <p>If government funding is necessary, State to pay for O&M.</p> <p>OCWD to consider paying for some of O&M for projects that benefit OCWD.</p>
Coordination and Information Sharing	<p>Orange County North Basin Task Force.</p> <p>Lead Agency and OCWD to coordinate actions of regulatory agencies.</p> <p>OCWD and regulatory agencies to share data, studies and reports, and settlement agreements with each other.</p> <p>OCWD and regulatory agencies to consider joint enforcement agreement.</p>	<p>Lead Agency and OCWD to coordinate actions of regulatory agencies.</p> <p>OCWD and regulatory agencies to share data, studies and reports, and settlement agreements with each other.</p> <p>OCWD and regulatory agencies to consider joint enforcement agreement.</p>

Bölin, David

From: Herndon, Roy
Sent: Sunday, November 02, 2014 7:37 AM
To: Mark, Dave; Bolin, David
Subject: Fwd: Timesheet for week of Oct 27-31

FYI

Roy Herndon
Chief Hydrogeologist
Orange County Water District
18700 Ward Street, Fountain Valley, CA 92708
tel: (714) 378-3260
email: rherndon@ocwd.com

Begin forwarded message:

From: "Herndon, Roy" <RHerndon@ocwd.com>
Date: November 1, 2014 at 6:43:22 PM PDT
To: "Wehner, Mike" <MWehner@ocwd.com>
Subject: Re: Timesheet for week of Oct 27-31

Stewart indicated that DTSC had been burned on some past NPL sites where they were not kept in the loop by EPA, so I think that is one of the reasons that he isn't completely letting go. It looks like EPA will ultimately assume the lead agency role (NCP requires a "lead agency") for North Basin, but DTSC may likely have a continuing participatory role throughout the process.

I'll finish my timesheet Monday morning, but I need to reenter the first week since I had accidentally done that last timesheet, so please approve weeks 1 and 2. Thanks. Roy

On Oct 31, 2014, at 5:39 PM, Wehner, Mike <MWehner@ocwd.com> wrote:

Glad to hear the meeting went well. Has DTSC still not given up the idea that they can handle North Basin? Looked like Keith had all the right pieces lined up for EPA to step up if DTSC agreed to just focus on South Basin and give up on North.

Have a good weekend and don't forget about the last part of your timesheet on Monday morning.

Mike Wehner

Assistant General Manager
Orange County Water District
18700 Ward Street, Fountain Valley, CA 92708
tel: (714) 378-3297
email: mwehner@ocwd.com

From: Herndon, Roy

Sent: Friday, October 31, 2014 5:10 PM

To: Wehner, Mike

Subject: Re: Timesheet for week of Oct 27-31

Will do. Had a good meeting with DTSC. No final decision but heading in the right direction.

Roy Herndon

Chief Hydrogeologist
Orange County Water District
18700 Ward Street, Fountain Valley, CA 92708
tel: (714) 378-3260
email: rherndon@ocwd.com

REDACTED

Herndon, Roy

From: Keith Takata <keith@keithtakata.com>
Sent: Monday, November 17, 2014 9:50 AM
To: Kurt Berchtold; Ann Sturdivant; Julie Macedo; Stewart Black; Barbara Cook; John Scandura; Rafat Abbas; Emad Yemut; John Lyons; Caleb Shaffer; Dusty Minor; Steve Koyasako; Rachelle Thompson; Bethany Dreyfus; Nicole Moutoux; Leslie Ramirez; Lim Barnett
Cc: Markus, Mike; Wehner, Mike; Herndon, Roy; Mark, Dave; Bolin, David; Meredith Durant; Scott Sommer; Paul Rigali
Subject: Draft Action Items from Orange County Task Force Meeting
Attachments: Action Items OC NB Task Force 11-13-14 V2.docx

Thank you all for participating in the Orange County Task Force meeting on November 13, 2014. Attached are draft Actions Items from the meeting. Please let me know if you have any comments or questions. Thank you!

Keith

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ACTION ITEMS

Orange County North Basin Task Force OCWD, RWQCB, DTSC, and EPA Thursday, November 13, 2014

1. DTSC has a new Director, Barbara Lee. Stewart Black needs additional time to discuss the lead agency issue with the new Director and CalEPA. Both DTSC and EPA say they have the resources to be the lead agency for the OCWD interim remedy RI/FS. The regulatory agencies will make a decision on the lead agency for the OCWD interim remedy RI/FS by the end of calendar year 2014. In the meantime, DTSC commits to a technical review of the OCWD interim remedy RI/FS.
2. DTSC, RWQCB, and OCWD will meet to discuss the scope of the OCWD interim remedy RI/FS. Vapor intrusion is a major issue for DTSC and will be part of this discussion.
3. The attorneys reached conclusions about the legal authority of DTSC v. RWQCB v. EPA, but Steve Koyasako was unable to brief Stewart Black. Black will meet with Koyasako to discuss his conclusions.
4. On South Basin, DTSC, RWQCB, and OCWD will meet to discuss the "central lobe." This will be a technical meeting—no attorneys.
5. On South Basin, DTSC, RWQCB, and OCWD will meet to discuss the scope of the OCWD interim remedy RI/FS. OCWD proposed that DTSC be the lead agency for South Basin interim remedy RI/FS. After the scoping meeting, DTSC will decide whether or not it will be the lead agency for the South Basin interim remedy RI/FS.
6. If DTSC is the lead agency for the OCWD interim remedy RI/FS, DTSC would like to enter into a Consultative Services Agreement. DTSC will send a copy of the agreement to OCWD.
7. DTSC will send a letter to request EPA to start PAs for North Basin. EPA agrees to honor DTSC's request.
8. DTSC will send updated tables of the North Basin and South Basin source sites to RWQCB, EPA, and OCWD.

9. EPA will look into what actions were taken at Monitor Plating and share with DTSC, RWQCB, and OCWD.

10. The next meeting of the Task Force will be in February 2015

OCWD Participants

- Roy Herndon, Chief Hydrogeologist, OCWD
- David Bolin, Principal Hydrogeologist, OCWD
- Dave Mark, Project Manager/Hydrogeologist, OCWD
- Meredith Durant, Kennedy/Jenks Consultants
- Scott Sommer, Attorney for OCWD
- Paul Rigali, Arent Fox, Attorney for OCWD
- Keith Takata, Consultant

RWQCB and SWRCB Participants

- Kurt Berchtold, Executive Officer, Santa Ana RWQCB
- Ann Sturdivant, Site Cleanup, Santa Ana RWQCB
- Nick Amini, WRCE, Santa Ana RWQCB
- Julie Macedo, Attorney, Office of Enforcement, SWRCB

DTSC Participants

- Stewart Black, Deputy Director, Brownfields & Environmental Restoration
- Barbara Cook, Division Chief, Brownfields & Environmental Restoration
- John Scandura, Branch Chief, Brownfields & Environmental Restoration Program
- Rafat Abbasi, Project Manager, Brownfields & Environmental Restoration Program
- Greg Neal, Geologist, Brownfields & Environmental Restoration Program
- Emad Yemut, Supervisor, Brownfields & Environmental Restoration Program

EPA Participants

- John Lyons, Acting Assistant Director, Site Cleanup Branch
- Caleb Shaffer, Section Chief, California Site Cleanup Section
- Dusty Minor, Manager, Hazardous Waste Management Branch, Office of Regional Counsel



Matthew Rodriguez
Secretary for
Environmental Protection



Department of Toxic Substances Control

Miriam Barcellona Ingenito
Acting Director
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P.O. Box 806
Sacramento, California 95812-0806



Edmund G. Brown Jr.
Governor

November 25, 2014

Mr. Enrique Manzanilla
Director, Superfund Division
United States Environmental Protection Agency, Region 9
75 Hawthorne Street
San Francisco, California 94105

PETITION TO CONDUCT A PRELIMINARY ASSESSMENT OF HAZARDOUS SUBSTANCE RELEASES IN THE NORTH ORANGE COUNTY BASIN GROUNDWATER PLUME AREA

Dear Mr. Manzanilla:

Under the authority of Section 105(d) of the Comprehensive Environmental Response, Liability, and Compensation Act, as amended (CERCLA), the Department of Toxic Substances Control (Department) hereby requests that Region 9 of the United States Environmental Protection Agency (U.S. EPA) conduct a preliminary assessment of the releases of hazardous substances in the North Orange County Groundwater Basin (North Basin). The North Basin supplies water to 22 cities and approximately 2.4 million residents of California. The location of the releases can be described generally within a groundwater contaminant plume area approximately four miles long and two miles wide, and includes smaller co-mingled or isolated plumes. The larger contaminant plume area is depicted on the map enclosed hereto as Exhibit A.

Within the larger contaminant plume area, it is believed that industrial businesses released hazardous substances, most importantly volatile organic compounds (VOCs), in the shallower aquifer. These facilities are believed to have contributed to the following releases:

Plume 1: This area is bounded by Highland Avenue to the east, Commonwealth to the north, Valencia to the south, and Woods Street to the west. This is the westernmost plume. Fullerton Manufacturing is located towards the eastern boundary of the plume.

Plume 2: This area is bounded by Acacia to the east, Orangethorpe Avenue to the south, Commonwealth to the north, and Harbor Boulevard to the west. This is the largest plume. The sites that are part of the State's evaluation are CBS/Fender, MAG Aerospace, and Chicago Musical Instruments.

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Plume #3: This area is bounded by the 57 Freeway to the east, Kimberly to the south, State College to the west, and Valencia to the north. The sites being evaluated by the State include Aerojet, Alcoa, and Mark VI.

Plume #4: This area is bounded by Walnut Via to the east, Orangethorpe to the south, halfway west between Harbor and Lemon, and Balcom Avenue to the north. The sites being evaluated by the State include Northrop Y-12, Moore Wallace, and Kester Solder.

Plume #5: This area is bounded by Acacia to the east, Orangethorpe to the south, Raymond Avenue to the west, and Kimberly to the north. The sites being evaluated by the State include Arnold Engineering.

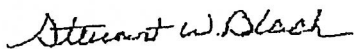
Plume #6: This area is bounded by Acacia to the west, State College to the east, Kimberly to the north, halfway south between Orangethorpe and the 91 freeway. The sites being evaluated by the State include Crucible Material.

As Trustee for natural resources within its purview, including the waters of the State, the Department has responsibility for the protection of the waters of the State in the North Basin. The Department is therefore affected by the subject hazardous substance releases, which threaten a significant portion of the groundwater resources in the North Basin.

The Department and the California Regional Water Quality Control Board for the Santa Ana Region are actively involved in investigation and remediation of hazardous substance releases in the North Basin groundwater contaminant plume area. However, it is clear that the magnitude of the hazardous substance releases involved, and the threats that they pose to the public health and welfare, and to the environment, warrant consideration for the National Priorities List. Therefore, the State agencies believe that the U.S. EPA should assume responsibility for response actions in the North Basin under the authority of CERCLA, in coordination with the affected State agencies and the Orange County Water District.

Please feel free to contact me at (916) 324-3148 if you have any questions.

Sincerely,



Stewart W. Black, P.G.
Deputy Director
Brownfields and Environmental Restoration Program

Enclosure

cc: See next page.

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cc: (sent via email)

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OCWD0000043

